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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,413	08/09/2005	Kazuhiro Yamamoto	1207-117	7429
23117	7590	09/07/2006	EXAMINER	
NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			JOHNSON, VICKY A	
			ART UNIT	PAPER NUMBER
			3682	

DATE MAILED: 09/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/534,413

Applicant(s)

YAMAMOTO ET AL.

Examiner

Vicky A. Johnson

Art Unit

3682

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-11 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group II claims 12-21 in the reply filed on June 15, 2006 is acknowledged. Claims 1-11 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Priority

2. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 14 it is unclear if the "a recessed surface" is the same recessed surface of claim 1, and if the "a pair of mutually opposing planar surfaces" are the same planar surfaces of claim 1.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 3682

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 12-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Bugosh (US 6,539,821).

Bugosh discloses a rack guide comprising: a rack guide base body having on its outer peripheral surface a pair of semi cylindrical surfaces and a pair of planar surfaces each located between the pair of semi cylindrical surfaces (see Fig 2), having a recessed surface located on one axial end portion side inwardly of the pair of semi cylindrical surfaces and the planar surfaces (48), and having a cylindrical surface located on another axial end portion side inwardly of the pair of semi cylindrical surfaces and the planar surfaces (see Fig 2); and a slider (72) secured to said rack guide base body.

Re claim 13, said rack guide base body has a circular-arc shaped recessed surface (see Fig 3).

Re claim 14, said rack guide base body has a recessed surface including a pair of mutually opposing planar surfaces and a pair of inclined surfaces respectively extending integrally from the pair of planar surfaces (see Fig 4).

Re claim 15, said rack guide base body has a hole (75) in a center of a bottom of the recessed surface, and said slider has a projecting portion (84), which is fitted in the hole of said rack guide base body (see Fig 3).

Re claim 16, the hole is constituted by a through hole or a hole with a bottom (see Fig 3).

Re claim 17, the pair of planar surfaces are connected to respective ends of the bottom of the recessed surface and are located in such a manner as to oppose each other (see Fig 2).

Re claim 18, wherein said rack guide base body has at least one annular groove in the outer peripheral surface consisting of the pair of semi cylindrical surfaces and the pair of planar surfaces (see Fig 3).

Re claim 19, wherein said rack guide base body has at least two rows of annular grooves in the outer peripheral surface consisting of the pair of semi cylindrical surfaces and the pair of planar surfaces (see Fig 3).

Re claim 20, further comprising an elastic ring fitted in the annular groove in such a manner as to partially project from the outer peripheral surface to an outside (see Fig 3).

Re claim 21, wherein said rack guide base body has narrow-width protruding portions respectively extending from vicinities of the bottom of the recessed surface to apex surfaces of the recessed surface along edge portions on both sides of the recessed surface (see Figs. 2 and 3).

Conclusion

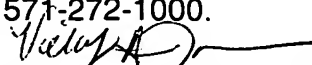
7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6,076,417	Engler	(guide)
5,682,959	Joerg et al	(guide)
6,619,420	Saarinen	(guide)
6,921,096	Yang	(guide)
5,746,285	Yonezawa	(guide)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vicky A. Johnson whose telephone number is (571) 272-7106. The examiner can normally be reached on Monday-Friday (7:00a-3:30p).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6217. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Vicky A. Johnson
Primary Examiner
Art Unit 3682

9/2/04